

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:
Jessica J. Delancey
Aaron S. Delancey

Debtor

M&T Bank
Movant

v.

Jessica J. Delancey
Aaron S. Delancey

Respondent

Bankruptcy No. 20-70004-JAD

Chapter 13

Related To Doc. No. 44

CONSENT ORDER GRANTING FORBEARANCE

AND NOW, this 26th day of June, 2020, the parties having consented thereto, it is:

ORDERED that the mortgage payments due Movant shall be suspended beginning with the payment due the month of May 2020 (provided further it is understood and agreed that the Trustee may have paid the mortgage ahead so the mortgagee may have already been paid in part or in full for this month), and continuing through the payment due for October 2020; and it is further;

ORDERED, that any fees, costs and expenses associated with the forbearance agreement will be subject to the provisions of FRBP 3002.1, and provided further that approval of the forbearance agreement does not represent approval of the fees, costs and expenses associated with forbearance agreement and does not preclude an objection to those fees when noticed in accordance with the Rule; and it is further;

ORDERED that other than the suspension of mortgage payments, and the reduction in monthly amount by the amount of the mortgage payment (in the monthly amount of \$592.48), the rest of the Chapter 13 Plan remains in full force and the Chapter 13 Trustee shall continue to distribute payments to other claims during the period of forbearance in accordance with the Chapter 13 Plan; and it is further;

ORDERED that Debtor is required to file an Amended Chapter 13 Plan that provides for resumption of mortgage payments in November 2020, and which further provides, as a separate line item (in Part 3.2 of the Plan) the dollar amount of the suspended payments and the repayment terms, at least 30 days prior to the last month in the forbearance period; and it is further;

ORDERED that Movant, at this time, does not waive any rights to collect the payments that come due during the forbearance period, and if Debtor(s) fails to timely file an Amended Chapter 13 Plan providing for repayment of the suspended payments, Movant reserves its rights to seek relief from the automatic stay.



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Jeffery A. Deller
U.S. Bankruptcy Judge

Consented to by:

/s/ Shawn B. Cohen, Esquire

Shawn B. Cohen, Esquire
Attorney for Debtor
PO BOX 663
Ducansville, PA 16635
Phone: 814-693-0500

/s/ James C. Warmbrodt, Esquire

James C. Warmbrodt, Esquire
KML Law Group, P.C.
Attorney for Respondent
701 Market Street, Suite 5000
Philadelphia, PA 19106
Phone: 215-627-1322

/s/ Owen Katz, Esquire

Owen Katz, Esquire
Office of the Chapter 13 Trustee
US Steel Tower-Suite 3250
600 Grant Street
Pittsburgh, PA 15219
Phone: (412) 471-5566

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**IN RE: Jessica J. Delancey
Aaron S. Delancey**

Debtor(s)

M&T Bank

Movant

vs.

**Jessica J. Delancey
Aaron S. Delancey**

Debtor(s)

**Ronda J. Winnecour,
Trustee**

BK NO. 20-70004 JAD

Chapter 13

Related to Claim No. 15

**CERTIFICATE OF SERVICE OF
CONSENT ORDER GRANTING FORBEARANCE**

I, James C. Warmbrodt, of KML Law Group, P.C., certify that I am, and at all times hereinafter mentioned was, more than 18 years of age and that on June 25, 2020, I served the above captioned pleading, filed in the proceeding on the parties at the addresses shown below;

Debtor(s)

Jessica J. Delancey
1007 Rosehill Drive
Altoona, PA 16602

Attorney for Debtor(s)

Shawn B. Cohen, Esq.
PO Box 663 (VIA ECF)
Ducansville, PA 16635

Aaron S. Delancey
1007 Rosehill Drive
Altoona, PA 16602

Trustee

Ronda J. Winnecour
Suite 3250, USX Tower (VIA ECF)
600 Grant Street
Pittsburgh, PA 15219

Method of Service: electronic means or first class mail

Dated: June 25, 2020

/s/James C. Warmbrodt, Esquire

James C. Warmbrodt, Esquire
Attorney I.D. No. 42524
KML Law Group, P.C.
BNY Mellon Independence Center
701 Market Street, Suite 5000
Philadelphia, PA 19106
412-430-3594
jwarmbrodt@kmllawgroup.com

Certificate of Notice Page 4 of 4
United States Bankruptcy Court
Western District of Pennsylvania

In re:
 Aaron S Delancey
 Jessica J Delancey
 Debtors

Case No. 20-70004-JAD
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-7

User: culy
 Form ID: pdf900

Page 1 of 1
 Total Noticed: 2

Date Rcvd: Jun 26, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 28, 2020.

db/jdb +Aaron S Delancey, Jessica J Delancey, 1007 Rosehill Drive, Altoona, PA 16602-6705
 +Owen Katz, Esq., Office of the Chapter 13 Trustee, U.S. Steel Tower - Suite 3250, 600 Grant Street, Pittsburgh, PA 15219-2719

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 28, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 26, 2020 at the address(es) listed below:

James Warmbrodt on behalf of Creditor M&T Bank bkgroup@kmllawgroup.com
 Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
 Ronda J. Winnecoeur cmeccf@chapter13trusteewdpa.com
 Shawn B. Cohen on behalf of Debtor Aaron S Delancey shawn@attyshawncohen.com, notices@attyshawncohen.com;notices1@attyshawncohen.com;notices2@attyshawncohen.com;centralpabk@gmail.com
 Shawn B. Cohen on behalf of Joint Debtor Jessica J Delancey shawn@attyshawncohen.com, notices@attyshawncohen.com;notices1@attyshawncohen.com;notices2@attyshawncohen.com;centralpabk@gmail.com

TOTAL: 5